

[REDACTED]

FOI 1321/20-21

16 December 2020

[REDACTED]

I refer to your email of 11 November in which you asked for information relating to Section 127 of the Communications Act 2003. Your request has been dealt with under the terms of the Freedom of Information Act 2000.

### **Freedom of Information Act 2000**

The Freedom of Information Act creates rights of access for any person making a request for information to a public authority. The rights of access are twofold. Firstly, to be informed by the public authority if it holds information of the description specified in the request, and if that is the case, secondly, to be provided with that information. These rights are subject to important limitations, which are designed to achieve a proper balance between the right to know and considerations of law and policy in the broader public interest.

You had asked the following:

1. How many files have been received by the PPS under the section of the Act for the years 2016/2017/2018/2019/2020?
2. How many prosecutions were proceeded with under the section for the same years?
3. What were the outcomes of those prosecutions under the section for the same years?
4. What is the breakdown of numbers for the specific offences under the act for files received, prosecutions proceeded with and outcomes for the same years?

In response to question 1, please see Table 1 in the attached spreadsheet detailing the number of files received by the PPS between 1/1/16 and 12/11/20 in respect of offences relating to Section 127 of the Communications Act 2003.

In respect of questions 2 and 3 please see Table 2 which details the decisions and outcomes in both the Crown and Magistrates' Courts.

In response to question 4, please see Table 3 which outlines figures for files received broken down by offence and by year. Table 4 details the total prosecutions by offence by year. Information on the outcomes by offence for each of the years is included in Tables 5 and 6.

The offences included in the analysis are listed at Table 7.

This information should be read in conjunction with the explanatory notes accompanying the tables.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review in accordance with our review procedure. You should do this as soon as possible or in any case within two months of the date of this response and you can do so by writing to the Head of Policy and Information, Public Prosecution Service, Belfast Chambers, 93 Chichester Street, Belfast, BT1 3JR or alternatively by sending an e-mail to [info@ppsni.gov.uk](mailto:info@ppsni.gov.uk). You should state clearly the grounds on which you are requesting the review.

Alternatively, you may wish to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely,

**Information Management Team**